IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 14186 of 2007(L)

PETITIONER:

K.T.SARAMMA,KOCHUPARAMPIL HOUSE,
CHERUKOLE P.O.,KOZHENCHERRY,
PATHANAMTHITTA.

BY ADV. SRI.JACOB P.ALEX

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY ITS
SECRETARY TO DEPARTMENT OF HEALTH,
THIRUVANANTHPAURAM.

2. DIRECTORY OF HOMEOPATHY,
DIRECTORATE OF HOMEOPATHY (DEPARTMENT OF HEALTH),
THIRUVANANTHPAURAM.

3. CHIEF MEDICAL OFFICER,
GOVERNMENT HOME DISPENSARY,
ARANMULA,PATHANAMTHITTA.

4. DISTRICT MEDICAL OFFICER,
PATHANAMTHITTA.

5. C.PONNAPPAN, NURSING ASSISTANT,
GOVERNMENT HOME HOSPITAL,KOTTANAD,
PATHANAMTHITTA.

BY GOVERNMENT PLEADER SRI.P. NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT-P1: TRUE COPY OF DISABILITY CERTIFICATE DATED 25.6.2002

EXHIBIT-P2: TRUE COPY OF THE ORDER NO.2476/EB2/2007/DH DATED 26.04.2007

EXHIBIT-P3: TRUE COPY OF THE MEDICAL CERTIFICATE DATED 27.04.2007

EXHIBIT-P4: TRUE COPY OF THE REPRESENTATION DATED 27.4.2007 SUBMITTED BEFORE THE 2ND RESPONDENT

/TRUE COPY/

K.BALAKRISHNAN NAIR,J.

W.P (C) No.14186 of 2007

Dated this the 13th day of July, 2007

J U D G M E N T

The petitioner is an Attender working in Government Homoeo Dispensary, Aranmula. She is a physically handicapped person as evident from Exhibit P1 certificate. By Exhibit-P2, she has been transferred from Aranmula to Government Homoeo Dispensary, Kalloopara. This writ petition is filed challenging Exhibit-P2. She submits the present station is at a distance of 30 kilometers away from her residence. She is suffering from cardiac decease. She has submitted Exhibit-P4 representation pointing out other dispensaries, where she may be accommodated. Thereafter, this writ petition is filed seeking appropriate reliefs against Exhibit-P2.

2. Heard. Learned Government Pleader upon instruction submitted that the petitioner is a quarrelsome person and in public interest she was transferred to Kallooppara. She was shown in the draft transfer list with the proposal to transfer to Kalloopara. She did not object to it. Therefore, she was finally transferred to the proposed station.

3. Learned Counsel for the petitioner submits that she was never shown the draft list and she did not get an opportunity to object to it. Having regard to the facts of the case, the 2nd respondent is directed to consider and pass orders on Exhibit-P4 , in accordance with law, within six weeks from the date of production of a copy of this judgment. If the petitioner produces copy of the judgment before the 2nd respondent, within three weeks from today, the interim order passed by this court will remain in force till the matter is decided by the 2nd respondent.

The writ petition is disposed of as above.

(K.BALAKRISHNAN NAIR,JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007